

Docket: 14066.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	George P. Sakalosky	
Appln. No.:	10/719,468	
Filing Date:	November 21, 2003	Examiner: K. Weddington
Title:	Methods and Compositions to Treat Lung Diseases	Group Art 1614
		Unit:

PETITION FOR EXTENSION OF PERIOD FOR RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

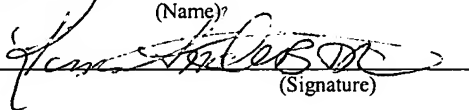
Express Mail mailing label number EV 535042194 US

Date of Deposit February 17, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim Anderson

(Name)


(Signature)

Dear Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicant hereby petitions for an extension of three month(s) from November 17, 2004 to February 17, 2005 within which to respond to the Office Action dated August 17, 2004. A check in the amount of \$510.00 is enclosed herewith to cover the extension fee.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 04-1420.

02/22/2005 MWOLDGE1 00000023 10719468

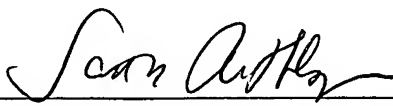
01 FC:2253

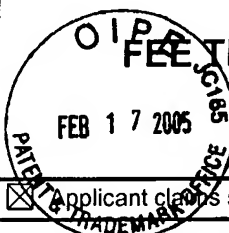
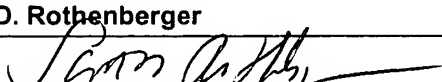
510.00 OP

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: 2/17/05

By: 
Scott D. Rothenberger, Reg. No. 41,277
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-8819

Effective on 12/08/04 <div style="text-align: center;">  FEE TRANSMITTAL SHEET (FY 2005) </div>		Complete if Known																																																																																																																																		
		Application No.	10/719,468																																																																																																																																	
		Filing Date	November 21, 2003																																																																																																																																	
		First Inventor	George P. Sakalosky																																																																																																																																	
		Group Art Unit	1614																																																																																																																																	
		Examiner Name	Kevin Weddington																																																																																																																																	
<input checked="" type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)		Atty. Docket Number	14066.03																																																																																																																																	
METHOD OF PAYMENT (Check One)		FEE CALCULATION (Continued)																																																																																																																																		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Deposit Account No.: 04-1420 Deposit Account Name: DORSEY & WHITNEY LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Other (please identify):		3. ADDITIONAL FEES																																																																																																																																		
<div style="text-align: center;"> Extra Claim Fees </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Current Claims</th> <th>Prior</th> <th>Extra</th> <th>Fee</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td style="text-align: center;">20</td> <td style="text-align: center;">x</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> <tr> <td>Ind.</td> <td style="text-align: center;">3</td> <td style="text-align: center;">x</td> <td style="text-align: center;">\$</td> <td style="text-align: center;">\$</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> <td style="text-align: center;">x</td> <td style="text-align: center;">\$</td> </tr> <tr> <td colspan="3" style="text-align: right;">Subtotal (Extra Claims)</td> <td></td> <td style="text-align: center;">\$</td> </tr> </tbody> </table>		Current Claims	Prior	Extra	Fee	Fee Paid	Total	20	x	\$	\$	Ind.	3	x	\$	\$	Multiple Dependent Claims			x	\$	Subtotal (Extra Claims)				\$	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">50</td> <td style="text-align: center;">25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td style="text-align: center;">130</td> <td style="text-align: center;">65</td> <td>Surcharge - Late nonprovisional filing fee or oath</td> <td></td> </tr> <tr> <td style="text-align: center;">180</td> <td style="text-align: center;">180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td style="text-align: center;">40</td> <td style="text-align: center;">40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td style="text-align: center;">120</td> <td style="text-align: center;">60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td style="text-align: center;">450</td> <td style="text-align: center;">225</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td style="text-align: center;">1,020</td> <td style="text-align: center;">510</td> <td>Extension for reply within third month</td> <td style="text-align: right;">\$510.00</td> </tr> <tr> <td style="text-align: center;">1,590</td> <td style="text-align: center;">795</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td style="text-align: center;">2,160</td> <td style="text-align: center;">1,080</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td style="text-align: center;">790</td> <td style="text-align: center;">395</td> <td>Submission After Final 1.129</td> <td></td> </tr> <tr> <td style="text-align: center;">500</td> <td style="text-align: center;">250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td style="text-align: center;">500</td> <td style="text-align: center;">250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td style="text-align: center;">1,000</td> <td style="text-align: center;">500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td style="text-align: center;">110</td> <td style="text-align: center;">55</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td style="text-align: center;">800</td> <td style="text-align: center;">400</td> <td>Design Issue Fee</td> <td></td> </tr> <tr> <td style="text-align: center;">790</td> <td style="text-align: center;">395</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td style="text-align: center;">130</td> <td></td> <td>Request for voluntary publication or republication</td> <td></td> </tr> <tr> <td style="text-align: center;">500</td> <td style="text-align: center;">250</td> <td>Petition to Revoke - unavoidable</td> <td></td> </tr> <tr> <td style="text-align: center;">1,500</td> <td style="text-align: center;">750</td> <td>Petition to Revoke - unintentional</td> <td></td> </tr> <tr> <td style="text-align: center;">200</td> <td></td> <td>Filing for patent term adjustment</td> <td></td> </tr> <tr> <td style="text-align: center;">400</td> <td></td> <td>Request for reinstatement of term reduced</td> <td></td> </tr> <tr> <td style="text-align: center;">1,120</td> <td></td> <td>Extension of term of patent</td> <td></td> </tr> <tr> <td colspan="2">OTHER FEE (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">Subtotal (Additional Fees)</td> <td style="text-align: right;">\$510.00</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: right;">Total Amount of Payment:</td> <td style="text-align: right;">\$510.00</td> </tr> </tbody> </table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1,020	510	Extension for reply within third month	\$510.00	1,590	795	Extension for reply within fourth month		2,160	1,080	Extension for reply within fifth month		790	395	Submission After Final 1.129		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		110	55	Terminal Disclaimer Fee		800	400	Design Issue Fee		790	395	Request for Continued Examination (RCE)		130		Request for voluntary publication or republication		500	250	Petition to Revoke - unavoidable		1,500	750	Petition to Revoke - unintentional		200		Filing for patent term adjustment		400		Request for reinstatement of term reduced		1,120		Extension of term of patent		OTHER FEE (specify)						Subtotal (Additional Fees)	\$510.00			Total Amount of Payment:	\$510.00
Current Claims	Prior	Extra	Fee	Fee Paid																																																																																																																																
Total	20	x	\$	\$																																																																																																																																
Ind.	3	x	\$	\$																																																																																																																																
Multiple Dependent Claims			x	\$																																																																																																																																
Subtotal (Extra Claims)				\$																																																																																																																																
Large Entity Fee	Small Entity Fee	Fee Description	Fee paid																																																																																																																																	
50	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																		
130	65	Surcharge - Late nonprovisional filing fee or oath																																																																																																																																		
180	180	Submission of IDS																																																																																																																																		
40	40	Recording each patent assignment per property (times number of properties)																																																																																																																																		
120	60	Extension for reply within first month																																																																																																																																		
450	225	Extension for reply within second month																																																																																																																																		
1,020	510	Extension for reply within third month	\$510.00																																																																																																																																	
1,590	795	Extension for reply within fourth month																																																																																																																																		
2,160	1,080	Extension for reply within fifth month																																																																																																																																		
790	395	Submission After Final 1.129																																																																																																																																		
500	250	Notice of Appeal																																																																																																																																		
500	250	Filing a brief in support of an appeal																																																																																																																																		
1,000	500	Request for oral hearing																																																																																																																																		
110	55	Terminal Disclaimer Fee																																																																																																																																		
800	400	Design Issue Fee																																																																																																																																		
790	395	Request for Continued Examination (RCE)																																																																																																																																		
130		Request for voluntary publication or republication																																																																																																																																		
500	250	Petition to Revoke - unavoidable																																																																																																																																		
1,500	750	Petition to Revoke - unintentional																																																																																																																																		
200		Filing for patent term adjustment																																																																																																																																		
400		Request for reinstatement of term reduced																																																																																																																																		
1,120		Extension of term of patent																																																																																																																																		
OTHER FEE (specify)																																																																																																																																				
		Subtotal (Additional Fees)	\$510.00																																																																																																																																	
		Total Amount of Payment:	\$510.00																																																																																																																																	
Petition Fee Under 37 CFR 1.17(f), (g), & (h) Enclosed is a Petition filed under 37 CFR as indicated below: <input type="checkbox"/> Petition Fee under 37 CFR 1.17(f) Fee \$400 § 1.53(e) to accord a filing date. § 1.57(a) to accord a filing date. § 1.182 for decision on a question not provided for. § 1.183 to suspend the rules. § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent. § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(g) Fee \$200 § 1.12 for access to an assignment record. § 1.14 for access to an application. § 1.47 for filing by other than all inventors or person not the inventor. § 1.59 for expungement of information. § 1.103(a) to suspend action in an application. § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail. § 1.295 for review of refusal to publish a statutory invention registration. § 1.296 to withdraw a req. for pub. after notice of intent to publish issued. § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent. § 1.550(c) for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 1.956 for request for ext. of time in <i>ex parte</i> reexam. proceedings. § 5.12 for expedited handling of foreign filing license. § 5.15 for changing the scope of a license. § 1.5.25 for retroactive license. <input type="checkbox"/> Petition Fee under 37 CFR 1.17(h) Fee \$130 § 1.19(g) to request documents in a form other than provided in this part. § 1.84 for accepting color drawings or photographs. § 1.91 for entry of a model or exhibit. § 1.102(d) to make an application special. § 1.138(c) to expressly abandon an application to avoid publication. § 1.313 to withdraw an application from issue. § 1.314 to defer issuance of a patent.																																																																																																																																				
Submitted by:																																																																																																																																				
CUSTOMER NUMBER 25763		DORSEY & WHITNEY LLP																																																																																																																																		
Name: Scott D. Rothenberger		Phone No.: 612-340-8819	Fax No.: 612-340-8856																																																																																																																																	
Signature: 		Reg. No.: 41,277	Date: 2/17/05																																																																																																																																	